

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 27037 of 1995

Between:

K. Lakshmana Rao S/o Venkateswara Rao
L.D.C.Clerk, Sub Court Machilipatnam,
Krishna Dist.

..... PETITIONER

AND

- 1 The Registrar (Management) High Court of A.P., Hyderabad
- 2 The District & Sessions Judge, Krishna at Machilipatnam

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Certiorarai calling for the records relating to the rejection of appeal of the petitioner by proceedings Rc.No.1886/94 C.Spl. (Con.) dt: 31-3-95 of the 1st respondent and the order dt: 2-3-1994 of the 2nd respondent imposing punishment so far as it relates to the petitioner, and set aside the same, and pass

For the Petitioner:MR.M.V.K.VISWANADHAM, Advocate

For the Respondents : SMT.M.BHASKARA LAKSHMI , Advocate

The Court Made the Following :

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ORDER: (per HON'BLE CHIEF JUSTICE)

Petition is filed by Sri A.Lakshmana Rao, who, at the relevant time, was working as Amin in District Court, Krishna District, Machilipatnam. The Principal District Judge, Machilipatnam, issued memo calling for his explanation for preparing Hukum Warrant contrary to the directions dated 16-11-1992. Explanation was submitted by him and considering the same, a regular departmental enquiry was already ordered against him, the then Head Clerk and Bench Clerk and a common charge was framed and Enquiry Officer was appointed. Due consideration was given and on submission of the enquiry report, it was accepted, copy of which was duly served upon the petitioner and considering his reply, punishment of reduction of pay was imposed which existed in the year 1992. On the Bench Clerk, stoppage of increment for a period of two years without cumulative effect and on the Head Clerk stoppage of one increment for a period of one year without any cumulative effect, was imposed. Aggrieved by the said order, the appeal was filed. Petitioner's appeal was rejected holding that there is hardly any ground to show leniency in the matter since he had been already dealt with leniently. Appeal filed by the Bench Clerk was partly allowed and sentence was partly modified. Challenge is to the said departmental proceedings.

We have gone through the record. We do not find any illegality or irregularity committed in the departmental proceedings, thereby calling for

any interference at our hands in exercise of our Writ jurisdiction.

Accordingly, Writ Petition is dismissed. No costs.

DEVINDER GUPTA. C.J.,

G. ROHINI. J.,

Dated: 22.06.2004.

Kvrk.

To

- 1 The Registrar (Management)/ Administration, High Court of A.P., Hyderabad
- 2 The District & Sessions Judge, Krishna at Machilipatnam
3. 2 CD copies.